

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALFRED LAFORD,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

19 Civ. 10514 (PAE)

16 Civ. 4686 (PAE)

11 Cr. 1032-07 (PAE)

ORDER

PAUL A. ENGELMAYER, United States District Judge:


On June 20, 2016, petitioner Alfred Laford filed a motion under 28 U.S.C. § 2255, challenging his conviction and sentence under 18 U.S.C. § 924(c) as unlawful following the Supreme Court's decision in *Johnson v. United States*, 135 S. Ct. 2551 (2015). *See* No. 16 Civ. 4686, Dkt. 1. The Court granted a request from the parties to stay the case pending the outcome of *Sessions v. Dimaya*, 138 S. Ct. 1204 (2018), and then extended the stay pending the outcome of *United States v. Davis*, 139 S. Ct. 2319 (2019). No. 11 Cr. 1032-07, Dkt. 2101¹; No. 16 Civ. 4686, Dkt. 8. On November 8, 2019, Laford filed a § 2255 motion seeking to vacate his conviction based on *Johnson* and *Davis*. The motion was docketed in the criminal case, No. 11 Cr. 1032-07, but because Laford did not include his civil case number or label his filing as an amended motion, the Clerk of the Court did not file the motion in Laford's civil case, No. 16 Civ. 4686, but assigned it a new civil case number, No. 19 Civ. 10514. *See* No. 19 Civ. 10514, Dkt. 1.

The Clerk of the Court is respectfully directed to docket the motion as an amended motion in case No. 16 Civ. 4686. The Clerk of the Court is further directed to administratively close this case, No. 19 Civ. 10514, without prejudice to the pending motion.

¹ The request for the initial stay was filed only on the criminal docket, No. 11 Cr. 1032-07.

On November 14, 2019, the Court ordered the Government to respond to Laford's latest § 2255 motion by November 27, 2019. *See* No. 16 Civ. 4686, Dkt. 9. For avoidance of doubt, that deadline stands.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: November 15, 2019
New York, New York